

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

_____)	
DAVID CONLEY and KATRINE VAN)	
DIJK,)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:10cv1247 (TSE/JFA)
)	
FIRST TENNESSEE BANK NATIONAL)	
ASSOCIATION,)	
)	
Defendant.)	
_____)	

**DEFENDANT’S MOTION TO DISMISS FOR FAILURE TO
STATE A CLAIM PURSUANT TO FED. R. CIV. P. 12(B)(6)**

Defendant First Tennessee Bank National Association, by counsel, moves to dismiss the Complaint filed against it by plaintiffs David Conley and Katrine Van Dijk for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6). The grounds for the motion are set forth in the accompanying memorandum filed herewith.

FIRST TENNESSEE BANK NATIONAL
ASSOCIATION

/s/ Matthew S. Sheldon

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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

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